

SENATE BILL 310

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2003 Regular Session
3r1260
CF 3r0994

By: **Senator Giannetti**

Introduced and read first time: January 31, 2003

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 20, 2003

CHAPTER _____

1 AN ACT concerning

2 **Estates - Modified Administration - Final Report and Distribution -**
3 **Extension**

4 FOR the purpose of providing that the initial time periods for filing a final report and
5 for making distribution of an estate in a modified administration of the estate
6 are extended for a certain period on consent for extension by certain persons
7 under certain circumstances; altering the time requirement for making
8 distribution of an estate in a modified administration of the estate for purposes
9 of a requirement that a modified administration be revoked if distribution is not
10 made within a certain time; providing for the application of this Act; and
11 generally relating to an extension of the time periods for filing a final report and
12 for making final distribution of an estate in a modified administration of the
13 estate.

14 BY repealing and reenacting, with amendments,
15 Article - Estates and Trusts
16 Section 5-703 and 5-708(a)(5)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2002 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Estates and Trusts

2 5-703.

3 (A) THE INITIAL TIME PERIODS FOR FILING A FINAL REPORT AND FOR
4 MAKING DISTRIBUTION TO EACH LEGATEE AND HEIR ARE EXTENDED FOR 90 DAYS
5 ON A CONSENT FOR EXTENSION OF THE TIME PERIODS SIGNED BY THE PERSONAL
6 REPRESENTATIVE AND EACH INTERESTED PERSON AND FILED WITHIN 10 MONTHS
7 FROM THE DATE OF APPOINTMENT.

8 (B) A register of wills or a court may not extend the time periods established
9 under this subtitle.

10 5-708.

11 (a) A modified administration shall be revoked by the:

12 (5) Failure to timely file the final report under modified administration
13 and make TIMELY distribution [within 12 months from the date of appointment]; or

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
15 construed to apply only prospectively and may not be applied or interpreted to have
16 any effect on or application to any decedent who dies before the effective date of this
17 Act.

18 ~~SECTION 2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
19 effect October 1, 2003.